

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

2007 MAY -4 A 9:39

EVESTER THARP, AIS # 196360,

Petitioner,

VS.

KENNETH JONES, et al.,

Respondents.

DEBRA P. HACKETT, CLK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

CIVIL ACTION NO.  
1:07-CV-172-WKW (WO)

**SUBMISSION OF EXHIBITS**

Come now the Respondents in the above-styled cause, by and through the Attorney General of the State of Alabama, and submit the following exhibits, in support of the Respondents Answer that was filed on April 25, 2007:

- |           |  |
|-----------|--|
| Exhibit 1 | the multi-volume record on direct appeal in <u>Tharp v. State</u> , CR 01-1234 mem. op.(Ala. Crim. App. Aug. 22, 2003);                    |
| Exhibit 2 | the brief filed by Tharp in his direct appeal.   |
| Exhibit 3 | the brief filed by the State in Tharp's direct appeal;   |
| Exhibit 4 | the Alabama Court of Criminal Appeals's memorandum opinion in <u>Tharp v. State</u> , CR 01-1234 mem. op. (Ala. Crim. App. Aug. 22, 2003); |
| Exhibit 5 | the <i>Certificate of Judgment</i> in CR 01-1234;  |

- Exhibit 6 the record on appeal from the denial of Tharp's Rule 32 petition in Tharp v. State, CR 04-1990 mem. op.(Ala. Crim. App. May 26, 2006);
- Exhibit 7 the brief filed by Tharp in the appeal of his Rule 32 petition;
- Exhibit 8 the brief filed by the State in the appeal of Tharp's Rule 32 petition;
- Exhibit 9 the Alabama Court of Criminal Appeals's memorandum opinion in Tharp v. State, CR 04-1990 mem. op. (Ala. Crim. App. May 26, 2006); and,
- Exhibit 10 the *Certificate of Judgment* in CR 04-1990.

Respectfully submitted,

TROY KING, KIN047

*Attorney General*

By:



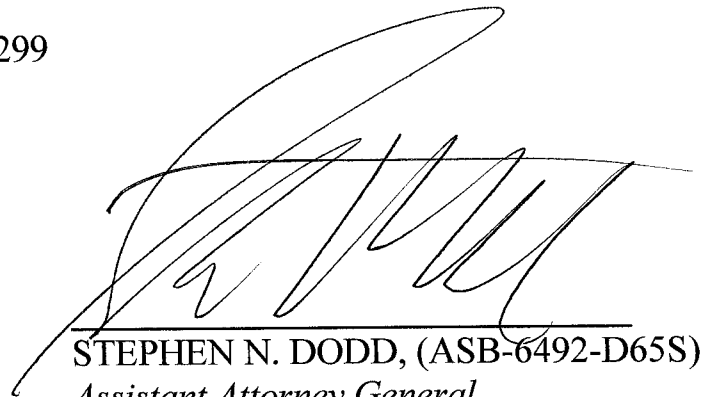
STEPHEN N. DODD, ASB-6492-D65S

*Assistant Attorney General*

### CERTIFICATE OF SERVICE

I hereby certify that on this 4<sup>th</sup> day of May, 2007, I filed the foregoing on  
Tharp, by placing said copy in the United States mail, first class, postage prepaid  
and addressed as follows:

Evester Tharp  
AIS #196360  
100 Warrior Lane  
Bessemer, AL 35023-7299

A handwritten signature in black ink, appearing to read 'Stephen N. Dodd', is written over a horizontal line.

STEPHEN N. DODD, (ASB-6492-D65S)

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**1:07cv00172-WKW**  
**Evester Tharp v. Kenneth Jones, et al.**

**EXHIBITS ARE NOT SCANNED.**

**EXHIBITS ARE FILED IN  
CONVENTIONAL FORMAT AND  
ARE AVAILABLE FOR VIEWING  
IN THE CLERK'S OFFICE.**